THE CITY OF NEW YORK

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August 23, 2019

By ECF
Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street, Room 2550
New York, New York 10007

> Re: *Patricia Cummings v. The City of New York, et al.*,
> 19 Civ. 07723 (CM)
> Our No. 2018-080725

Dear Judge McMahon:

      I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendants The City of New York, NYC Mayor Bill de Blasio, former Councilmember, and now Public Advocate, Jumaane D. Williams, and Councilmember Daniel Dromm (together the "City Defendants"), as well as the New York City Department of Education, City of New York Office of Special Investigations, Giulia Cox, and Courtney Ware (together the "DOE Defendants") in the above referenced matter.

      I write on behalf of the defendants who have moved to dismiss the Complaint to seek a briefing schedule on those motions. Prior to transfer of this proceeding from the Eastern District of New York, motions to dismiss the complaint were filed by the City Defendants, DOE Defendants, and defendants Lenard Larry McKelvey, Daily News, L.P., Ben Chapman, The Hechinger Report, and Dr. Andre Perry. *See* Docket Nos. 27, 28, 29, 31. Judge Feuerstein held those motions to dismiss in abeyance pending the motion to transfer and no opposition or reply papers have been filed. *See* Docket, Electronic Order of August 6, 2019.

      We respectfully propose that opposition papers be filed by no later than September 6, 2019 and reply papers, if any, be filed by no later than September 25, 2019.

Defendant State Senator Kevin S. Parker consents to this request.   Thank you for your consideration of this request.

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Respectfully Submitted,

/s/ Aliza J. Balog
Aliza J. Balog
Assistant Corporation Counsel

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cc: Counsel of Record (via ECF)